

Secretary of State  
**STATEMENT OF NEED AND FISCAL IMPACT**

A Notice of Proposed Rulemaking Hearing or a Notice of Proposed Rulemaking accompanies this form.

Bureau of Labor and Industries, Wage and Hour Division  
Agency and Division

839-025  
Administrative Rules Chapter Number

Amends Prevailing Wage rules to conform to legislation enacted in 2009

Rule Caption (Not more than 15 words that reasonably identifies the subject matter of the agency's intended action.)

In the Matter of: Rules regulating prevailing wage rates on public works

Statutory Authority: ORS 279C.808

Other Authority:

Stats. Implemented: ORS 279C.800 to 279C.870

Need for the Rule(s): These proposed rule amendments replace temporary rules effective August 5, 2009 and implement legislation enacted in 2009, eliminating inconsistencies between previous rules and legislation.

Documents Relied Upon, and where they are available: Senate Bills 51, 53, 54 and 55 and House Bill 2907 (2009), available at Oregon State Legislature website or upon request from the Oregon Bureau of Labor and Industries.

Fiscal and Economic Impact: These proposed rules have no fiscal or economic impact independent of the legislation enacted. (SB 51 permanently adjusts the PWR fee payable by a public agency to 0.1 percent of the contract price, with a minimum fee of \$250 and maximum fee of \$7,500.)

Statement of Cost of Compliance: These proposed rules have no fiscal or economic impact independent of legislation enacted. (SB 51 permanently adjusts the PWR fee payable by a public agency to 0.1 percent of the contract price, with a minimum fee of \$250 and maximum fee of \$7,500.)

1. Impact on state agencies, units of local government and the public (ORS 183.335(2)(b)(E)):
2. Cost of compliance effect on small business (ORS 183.336):
  - a. Estimate the number of small businesses and types of business and industries with small businesses subject to the rule:
  - b. Projected reporting, recordkeeping and other administrative activities required for compliance, including costs of professional services:
  - c. Equipment, supplies, labor and increased administration required for compliance:

How were small businesses involved in the development of this rule? Small businesses were not involved since these rules simply conform to legislation enacted.

Administrative Rule Advisory Committee consulted?: The Prevailing Wage Advisory Committee was advised about these rules in the course of its business.

If not, why?:



Signature

Brad Avakian  
Printed name

October 12, 2009  
Date

Administrative Rules Unit, Archives Division, Secretary of State, 800 Summer Street NE, Salem, Oregon 97310. ARC 925-2007

G:\whd\rules\Statement of Need and Fiscal Impact – PWR Permanent Rules (October, 2009)